GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TWD – LTR – West Godavari District - Revision Petition filed by Sri Jakkam Komaranjan Rao S/o.Veera Venkaiah R/o. Sreedharavelair (V), Burgumpahad (M), West Godavari District aggrieved by the orders of the Additional Agent to Government, Bhadrachalam in CMA No.79/2003, dated 22.01.2005 in respect of land measuring Ac.2.09 gts in Sy.No.407 of Sreedharavelair (V), Burgumpahad (M), West Godavari District – Dismissed – Orders – Issued.

SOCIAL WELFARE (TW.LTR-2) DEPARTMENT

G.O.MS.No. 146 **Dated: 30-08-2018**

Read the following:-

1. Revision Petition filed by Sri Jakkam Komaranjan Rao S/o.Veera Venkaiah R/o.Sreedharavelair (V), Burgumpahad (M), West Godavari District dt.14.10.2005.
2. Govt.Memo No.362/TW.LTR-2/2006-1, dt.02.02.2006.
3. From the Additional Agent to Government, Bhadrachalam Lr.RP No. 362/LTR.2/08, dt.20.01.2010.
4. Govt.Lr.No.362/TW.LTR-2/2006, dt. 09.02.2015, 18.03.2015, 06.06.2018, 05.07.2018.

ORDER:

1. In the reference Ist read above, Sri Jakkam Komaranjan Rao S/o.Veera Venkaiah R/o.Sreedharavelair (V), Burgumpahad (M), West Godavari District aggrieved by the orders of the Additional Agent to Government, Bhadrachalam in CMA No.79/2003, dated 22.01.2005 in respect of land measuring Ac.2.09 gts in Sy.No.407 of Sreedharavelair (V), Burgumpahad (M), West Godavari District.

2. In the reference 2nd read above, the Collector, Khammam District was requested to send the parawise remarks and connected case records to Government immediately.

3. The Additional Agent to Government, Bhadrachalam has furnished parawise remarks and connected records vide reference 3rd read above.

4. In the reference 4th read above, the petitioner was called for the hearing along with the written arguments and record. The case has been heard on 26.02.2015, 09.04.2015, 23.06.2018 and finally heard on 21.07.2018. During the course of hearing of the case that the Revision Petitioner submitted his arguments as per his grounds in Revision Petition and submitted that lower authorities failed to consider that sale agreement entered prior to 1968 and the same is valid.

5. On verification of the documents and the grounds of revision and Para wise remarks as well as the other documents and material available on the record it is noticed that Special Deputy Collector(TW) observed that the purchase of lands through the sale agreement between two non-tribes and village records for the year 1993-94 found the name of another non tribal in enjoyment column in contravention of regulations and passed the ejectment order and the same was confirmed by the Additional Agent to Government in the appeal.

6. It is observed that as seen from the record that the unregistered agreement of sale cannot be taken into account while examining nature of rights under regulation and the village record revels clear violations of regulations as such the transaction was null and void as observed by the Lower Authorities.

7. That taking consideration of the above and the material available on the record that it can be concluded that the Lower Authority and the Appellant Authority passed the order as per law which does not deserve any interference and accordingly the same were hereby upheld and the revision petition is hereby dismissed.

(P.T.O)

8. The Collector & District Magistrate, West Godavari District, Eluru is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records, which are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S.RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT (TW)

To
The Collector & District Magistrate, West Godavari District, Eluru (w.e)
The Special Deputy Collector (TW), K.R.Puram, West Godavari District.
Sri Ravulapati Sreenivasa Rao, Sri TLK Sharma, K.Seetharama Rao, Advocates, H.No.1-3-183/40/68/c/2, Gandhinagar, Hyderabad.
Sri Jakkam Komaranjanrao, S/o.Veera Venkaiah, R/o.Sreedhara Velair, Burgumpahad (M), West Godavari District.
Sri Bandi Poshalu, S/o.Papaiah, R/o. Sreedhara Velair, Burgumpahad (M), West Godavari District
Copy to:
The P.S. to Hon'ble Minister (SWE & TWE)
The P.S. to Principal Secretary (TW)
Sf/Sc.

//FORWARDED:: BY ORDER //

SECTION OFFICER